

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTIETH LEGISLATURE

**FORTY-SEVENTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 26, 2010**

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Malepeai, absent and formally excused by the Chair; and Senators Brackett, Cameron, Coiner, Darrington, Hill, Kelly, and Siddoway, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Emily Jacks, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 25, 2010, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senators Brackett, Darrington, and Siddoway were recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 25, 2010

The JUDICIARY AND RULES Committee reports that [S 1385](#) has been correctly printed.

DARRINGTON, Chairman

[S 1385](#) was referred to the Judiciary and Rules Committee.

February 25, 2010

The JUDICIARY AND RULES Committee reports that [S 1256](#) and [S 1257](#) have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled [S 1256](#) and [S 1257](#) and ordered them transmitted to the House for the signature of the Speaker.

February 25, 2010

The JUDICIARY AND RULES Committee reports that [S 1330](#), as amended, [S 1305](#), as amended, and [S 1366](#), as amended, have been correctly engrossed.

DARRINGTON, Chairman

[S 1330](#), as amended, [S 1305](#), as amended, and [S 1366](#), as amended, were filed for first reading.

February 25, 2010

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1330](#), [S 1305](#), and [S 1366](#) have been correctly printed.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 25, 2010

The TRANSPORTATION Committee reports out [S 1352](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCGEE, Chairman

There being no objection, [S 1352](#) was referred to the Fourteenth Order of Business, General Calendar.

Senator Coiner was recorded present at this order of business.

February 25, 2010

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1295](#) and [S 1381](#) with the recommendation that they do pass.

HILL, Chairman

[S 1295](#) and [S 1381](#) were filed for second reading.

February 25, 2010

The STATE AFFAIRS Committee reports out [S 1354](#) and [S 1379](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[S 1354](#) and [S 1379](#) were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 25, 2010

Dear Mr. President:

I transmit herewith [H 469](#), [HCR 39](#), [H 514](#), [H 516](#), [HCR 41](#), [H 564](#), [H 525](#), [HJR 7](#), [H 481](#), [H 482](#), [H 483](#), [H 576](#), [H 540](#), and [H 542](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 469](#), [HCR 39](#), [H 514](#), [H 516](#), [HCR 41](#), [H 564](#), [H 525](#), [HJR 7](#), [H 481](#), [H 482](#), [H 483](#), [H 576](#), [H 540](#), and [H 542](#) were filed for first reading.

February 25, 2010

Dear Mr. President:

I return herewith Enrolled [S 1253](#), [S 1254](#), and [S 1255](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1253](#), [S 1254](#), and [S 1255](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[S 1330](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1305](#), as amended, and [S 1366](#), as amended, by Education Committee, were read the first time at length and filed for second reading.

[H 514](#) and [H 516](#), by Local Government Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 469](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[HCR 39](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

[HCR 41](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 564](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 525](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[HJR 7](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 481](#), [H 482](#), and [H 483](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 576](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 540](#) and [H 542](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senator Cameron was recorded present at this order of business.

[H 408](#) and [H 411](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading.

[H 449](#) and [H 450](#), by Environment, Energy, and Technology Committee, were read the second time at length and filed for third reading.

[H 409](#) and [H 410](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading, Consent Calendar.

[S 1312](#), [S 1341](#), [S 1371](#), and [S 1373](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Goedde, granted by unanimous consent, [S 1365](#) was referred to the Fourteenth Order of Business, General Calendar.

President Little called President Pro Tempore Geddes to the Chair.

[S 1353](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Cameron, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Siddoway, Smyser, Winder. Total - 21.

NAYS—Andreason, Bilyeu, Bock, Broadsword, Coiner, Corder, Kelly, Keough, LeFavour, Schroeder, Stegner, Stennett (Stennett), Werk. Total - 13.

Absent and excused—Malepeai. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1353](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Kelly, by voice vote, the Senate adjourned at 11:58 a.m. until the hour of 10:30 a.m., Monday, March 1, 2010.

BRAD LITTLE, President

Attest: JEANNINE WOOD, Secretary